HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.21090 of 2007

Date: October 6, 2007

Between:
M.Gopala Krishna Murthy. … Petitioner

And

1. District Collector &
   Licensing Authority
   Under the Arms Act,
   1959, Chittoor District,
   Chittoor and another. … Respondents

* * *

ORDER:

This writ petition is filed for a writ of *Mandamus* to declare the order dated 22.8.2006, whereby respondent No.1 declined to renew arms licence of the petitioner.

2. Heard Sri T.Balaji, learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

3. Ordinarily, this court does not entertain a writ petition filed by passing statutory alternative remedy which is admittedly available for the petitioner. But, however, having perused the impugned order, I am satisfied that the order does not contain any reason, whatsoever, except the ground that the Superintendent of Police, Chittoor, has not

recommended the petitioner's application for renewal. It is well settled law that assigning of reasons is facet of principles of natural justice and in cases where orders are passed without observance of principles of natural justice the courts do not insist on availing of alternative remedies by the persons aggrieved by such orders. As the order impugned in this writ petition is extremely vague and does not contain any reasons, whatsoever, the same is liable to be set aside.

4. Accordingly the impugned order is set aside. The matter is remitted to respondent No.1 to consider the case of the petitioner afresh and pass a reasoned order in the event he declines to renew the arm licence of the petitioner. Respondent No.1 shall complete this exercise within a period of four weeks from the date of receipt of this order.

5. The writ petition is accordingly disposed of. No costs.

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(C.V.NAGARJUNA REDDY, J)

Date: October 6, 2007.
BSB